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California State Senate

SENATOR
TED W. LIEU

TWENTY-EIGHTH SENATE DISTRICT

CHAIR
BUSINESS, PROFESSIONS AND
ECONOMIC DEVELOPMENT

MEMBER
AGRICULTURE
GOVERNMENTAL ORGANIZATION
INSURANCE
VETERANS AFFAIRS



July 10, 2013

Sharon Levine, M.D.
President, Medical Board of California
2005 Evergreen Street, Suite 1200
Sacramento, CA 95815

Dear Dr. Levine:

An investigation by the Center for Investigative Reporting (CIR) found 148 female inmates were sterilized without state approval between 2006 and 2010. The CIR story also describes incidents in which inmates were forced or coerced into "consenting" for tubal ligations. One situation occurred when a doctor asked his patient to agree to a tubal ligation when she was sedated and strapped to an operating table for a C-section. Other incidents involved doctors repeatedly harassing and pressuring inmates to get tubal ligations. Particularly troubling was a statement by Dr. James Heinrich, OG-GYN at Valley State Prison, who made a reference that tubal ligations on inmates "save in welfare paying for these unwanted children – as they procreated more."

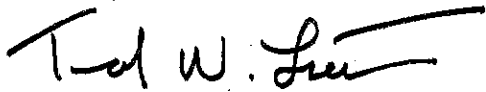
We are writing to request the Medical Board to investigate the practices and conduct of the physicians involved in tubal ligations at California state prisons. A physician's sole and only concern should be that of the patient. Whether a surgical procedure would have any hypothetical effect on welfare rolls should never, ever play a part in a doctor's decision. Physicians are also expected to "First, do no harm" to their patients. Physicians are required to get actual consent--not a coerced agreement--before performing a surgical procedure on a patient, especially in the case of a tubal ligation, which can have life altering effects and is largely irreversible.

The CIR story raises troubling allegations that doctors violated state law, disregarded ethical guidelines, and fell well below the standard of care. Physicians licensed in California are required to follow California laws and regulations, and are subject to the regulatory authority of the Medical Board. We ask that you investigate the physicians involved in unapproved female inmate sterilizations at California state prisons and determine whether any disciplinary actions or license revocations are warranted. We also request that you provide



the Legislature with recommendations to ensure unauthorized surgical procedures on patients never happen again.

Sincerely,

Handwritten signature of Ted W. Lieu in black ink.

TED W. LIEU

Chair, Senate Committee on Business, Professions & Economic Development

Handwritten signature of Hannah-Beth Jackson in black ink.

HANNAH-BETH JACKSON

Vice-Chair, California Legislative Women's Caucus

Handwritten signature of NoREEN Evans in black ink.

NOREEN EVANS

Chair, Senate Committee on Judiciary

Former Chair, California Legislative Women's Caucus